



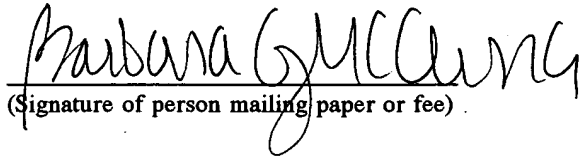
PATENT  
Atty. Docket No. 0085.005

**CERTIFICATE OF EXPRESS MAILING:**

I hereby certify that I am depositing this paper with the United States Postal Service under the "Express Mail, Post Office to Addressee" service under 37 CFR §1.10 on March 21, 1994, Express Mail mailing label no. RB 969 265 198 US, addressed to the Commissioner of Patents and Trademarks, BOX FWC, Washington, D.C. 20231.

Barbara G. McClung

(Name of person mailing paper or fee)



(Signature of person mailing paper or fee)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: VAN NEST, et al.

Serial No.: FWC of S.N. 08/041,519

Group Unit: 1811

Filed: Even Date Herewith

Examiner: Salata

For: ADJUVANT FORMULATION COMPRISING  
A SUBMICRON OIL DROPLET EMULSION

**TRANSMITTAL LETTER**

The Honorable Commissioner  
of Patents and Trademarks  
BOX FWC  
Washington, D.C. 20231

Sir:

Enclosed are the following documents:

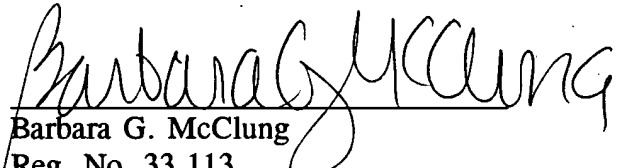
1. Request Form for File Wrapper Continuing Application Under 37 CFR 1.62

2. **COPY:** Petition for Three-Month Extension of Time Pursuant to 37 CFR 1.17(b), mailed 03/21/94 to PTO, for Serial No. 08/041,519
3. A check in the amount of \$710.00 representing the filing fee. The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or to Deposit Account No. 03-1664. This, however, is not authorization to pay the issue fee. A duplicate sheet is attached.
4. Postal Receipt Card

Respectfully submitted,

Dated: March 21, 1994

By:

  
Barbara G. McClung  
Reg. No. 33,113

CHIRON CORPORATION  
Intellectual Property-R440  
4560 Horton Street  
Emeryville, CA 94608-2916  
Telephone: (510) 601-2708  
Facsimile: (510) 655-3542



710-101

08/418,870 A/FWC  
~~00/215007~~

PATENT  
Atty. Docket No. 0085.005

#23  
*Amdt. 1*  
*4-29-94*

REQUEST FORM FOR FILE WRAPPER CONTINUING APPLICATION  
UNDER 37 CFR 1.62

<u>Docket Number</u>  0085.005	<u>Anticipated Classification of This Application:</u>  Class _____ Subclass _____	<u>Prior Application:</u>  No. 08/041,519	<u>Prior Application:</u>  Art Unit: 1811 Examiner: C. Salata
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CERTIFICATE OF EXPRESS MAILING:

I hereby certify that I am depositing this paper with the United States Postal Service under the "Express Mail, Post Office to Addressee" service under 37 CFR §1.10 on March 21, 1994, Express Mail mailing label no. RB 969 265 198 US, addressed to the Commissioner of Patents and Trademarks, BOX FWC, Washington, D.C. 20231.

Barbara G. McClung  
(Name of person mailing paper or fee)  
*Barbara G. McClung*  
(Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The Honorable Commissioner  
of Patents and Trademarks  
BOX FWC  
Washington, D.C. 20231

Sir:

This is a request for filing a continuation application under 37 CFR 1.62 of pending prior application Serial No. 08/041,519, filed on April 1, 1993 for ADJUVANT FORMULATION COMPRISING A SUBMICRON OIL DROPLET EMULSION by the following named inventors:

Full Name of FIRST Inventor:

1-00  
Gary A. VAN NEST

Residence:

4890 San Pablo Dam Road  
El Sobrante, CA 94803 CA

Country of Citizenship:

Canadian

Full Name of SECOND Inventor:

2-00  
Gary OTT

Residence:

112 Marlow Drive  
Oakland, CA 94605 CA

Country of Citizenship:

United States of America

Full Name of THIRD Inventor:

3-00  
Gail L. BARCHFELD

Residence:

2225 Romey Lane  
Hayward, CA 94541 CA

Country of Citizenship:

United States of America

**The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application.**

Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1. ☐ Enter the amendment previously filed on ☐ under 37 CFR 1.116 but unentered, in the prior application.

2.      A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

	<u>Number Filed</u>		<u>Number Extra</u>	<u>Rate</u>		<u>Calculations</u>
Basic Fee					=	\$ 710.00
Total Claims	11 - 20	=	0	x \$ 22.00	=	\$ -
Indep. Claims	2 - 3	=	0	x \$ 74.00	=	\$ -
Multiple Dependent Claims Presented				+ \$ 230.00	=	\$ -
Total of Above Calculations						\$ 710.00

3. x The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or §1.17 to Deposit Account No. 03-1664. This, however, is not authorization to pay the issue fee. A duplicate sheet is attached.
4. x A check in the amount of \$710.00 is enclosed.
5.      A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.
6. x Amend the specification by inserting before the first line the sentence:

*J l* -- This application is a continuation of Application Serial No. 08/041,519, filed April 1, 1993. --

7.           verified statement(s) claiming small entity status (is)(are) enclosed.
8.      Priority of application Serial No.                     , filed on              is claimed under 35 U.S.C. 119.
- The certified copy of the priority application:
- is enclosed
- has been filed in prior application Serial No.                     ,  
filed on
- has not yet been filed.

9. x The prior application is assigned of record to: **CHIRON CORPORATION**  
Reel/Frame: 5446/0019  
Recordation Date: 09/24/90
10. x The current power of attorney in the prior application is to: Robert P. Blackburn (30,447); Ling-Fong Chung (P36,482); Amy L. Collins (33,370); Kenneth M. Goldman (34,174); Grant D. Green (31,259); Barbara G. McClung (33,113); and Philip L. McGarrigle, Jr. (31,395)
- a. x The power appears in the original papers in the prior application.
- b.     Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c.     Power filed during prosecution.
- d. x Address all future communications:

Barbara G. McClung, Esq.  
Chiron Corporation  
Intellectual Property Department-R440  
P.O. Box 8097  
Emeryville, CA 94662-8097  
Telephone: (510) 601-2708  
Facsimile: (510) 655-3542

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all other applications in the same file wrapper.

21 March 94

Date

Barbara G. McClung

Attorney of Record: Barbara G. McClung

Registration No: 33,113 / T. T. T.

Address of Signator:

Chiron Corporation  
Intellectual Property-R440  
4560 Horton Street  
Emeryville, CA 94608-2916  
Telephone: (510) 601-2708  
Facsimile: (510) 655-3542

- ☒ attorney or agent of record
- ☐ filed under §1.34(a)
- ☐ inventor(s)
- ☐ assignee of complete interest



COPY

PATENT  
Serial No. 08/041,519  
Attorney Docket No. 0085.004

I hereby certify that this paper is being deposited in the  
United States Postal Service as first class mail in an envelope  
addressed to the Attn: AF, Commissioner of Patents and Trademarks,  
Washington, D.C. 20231 on March 21, 1994.

*Barbara G. McClung*  
Barbara G. McClung  
Reg. No. 33,113

*3/21/94*  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: VAN NEST, et al.

Serial No.: 08/041,519

Group: 1811

Filed: April 1, 1993

Examiner: C. Salata

For: ADJUVANT FORMULATION COMPRISING  
A SUBMICRON OIL DROPLET EMULSION

PETITION FOR THREE-MONTH EXTENSION OF TIME  
PURSUANT TO 37 CFR 1.17(b)

The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

Applicants herewith request a three-month extension of time to respond to the Office  
Action mailed on September 20, 1993. Applicants are filing a File Wrapper Continuing  
Application according to C.F.R. 1.62 today under separate cover.



PATENT  
Serial No. 08/041,519  
Attorney Docket No. 0085.004

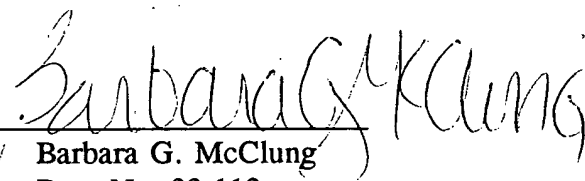
Enclosed please find a check including the amount of \$840.00 representing the extension fee.

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR 1.16 and 1.17 to Deposit Account No. 03-1664. This, however, is not authorization to pay the issue fee. A duplicate sheet is attached.

Respectfully submitted,

Dated: March 21, 1994

By:

  
Barbara G. McClung  
Reg. No. 33,113

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